IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 345 OF 2006.
IN
NOTICE OF MOTION NO. 376 OF 2005
IN
SUIT NO. 157 OF 2005

Motichandra Raghunath Ahir. ... Appellant.
Versus.
Maitibai Moreshwar Raut and others. ... Respondents.

Shri S.M.Sakhardande i/by Ms.A.S.Malvankar for the Appellant.
Shri Omprakash Pandey for the Respondents Nos.1 & 2.

CORAM : KSHITIJ R.VYAS, C.J., &
ABHAY S.OKA, J.

DATE : 13th July, 2006.

P.C.:

1. By consent of the learned Counsel appearing for the parties, the impugned order dated 14th March 2006 passed in Notice of Motion No.376 of 2005 is set aside and the Notice of Motion is restored to file. Notice of Motion No.376 of 2005 be heard along with Review Petition No.8 of 2005.

2. Till disposal of the Notice of Motion and the Review Petition, the interim order dated 28th February 2005 passed in Review Petition No.8 of 2005 shall continue to operate.

3. Notice of Motion No.2109 of 2006 does not survive and the same is disposed of.

CHIEF JUSTICE

ABHAY S.OKA, J.